

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

OSWALDO NERI, and JESSE NERI,

Defendants.

8:21CR13

ORDER

This matter is before the Court on Defendant, Jesse Neri's UNOPPOSED MOTION TO CONTINUE TRIAL [40], and UNOPPOSED MOTION TO CONTINUE PRETRIAL MOTION DEADLINE [41]. The Court notes that a jury trial as to both defendants in this case is set for June 15, 2021, before District Judge Brian C. Buescher. For good cause shown, I find that the motions should be granted. Defendant Jesse Neri will be given an approximate 28-day extension. Leave is given to file pretrial motions on or before March 22, 2021. Accordingly,

IT IS ORDERED:

1. Defendant's UNOPPOSED MOTION TO CONTINUE PRETRIAL MOTION DEADLINE [41] is granted. Pretrial motions shall be filed on or before March 22, 2021.
2. Defendant's UNOPPOSED MOTION TO CONTINUE TRIAL [40] is granted. The jury trial scheduled for June 15, 2021, as to Jesse Neri, and Oswaldo Neri is cancelled, and shall be rescheduled upon the expiration of the March 22, 2021, pretrial motion filing deadline.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between February 22, 2021, and March 22, 2021, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 23rd day of February, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge